

Emp 23

SMALL GROUP MEETING: STRIKES

OCTOBER 22, 1997

THANK YOU FOR COMING TO THE MEETING TODAY. I WANT TO TALK TO YOU PERSONALLY ABOUT A VERY IMPORTANT ISSUE RELATED TO UNIONS, AND THAT'S THE POSSIBILITY OF STRIKES AND WHAT HAPPENS IF THERE IS ONE.

THE UNION ELECTION IS NEXT WEEK AND BEFORE YOU VOTE ON OCTOBER 30TH AND OCTOBER 31ST, YOU SHOULD CONSIDER VERY CAREFULLY THE POSSIBILITY OF BECOMING INVOLVED IN A STRIKE. A STRIKE AFFECTS EVERYONE BUT THE EFFECTS OF A STRIKE ARE HARDEST ON YOU -- THE EMPLOYEES AND YOUR FAMILIES.

[OVERHEAD ONE]

[OVERHEAD TWO]

WE DO NOT WANT A STRIKE HERE AT RUIZ FOOD PRODUCTS, BUT IF THE UNION WERE TO MAKE UNREASONABLE DEMANDS ON THE COMPANY, WE WOULD HAVE TO SAY NO TO THEIR DEMANDS. FOR INSTANCE, THE UNION MAY MAKE FINANCIAL DEMANDS THAT WE COULD NOT AFFORD. WE WOULD HAVE TO SAY NO AND LET THE UNION DO WHAT THEY HAD TO DO. BELIEVE ME, THIS COMPANY WOULD NOT BE AFRAID TO SAY NO TO THE UNION.

WHAT HAPPENS DURING A STRIKE ?

[OVERHEAD THREE]

(HOLD UP FOSTER FARMS NEWSPAPER ARTICLE ENTITLED, "*POULTRY PLANT TERMINATES HEALTH BENEFITS.*")

[OVERHEAD FOUR]

THE TRUTH IS, EMPLOYEES AND THEIR FAMILIES ARE THE ONES WHO GET "STRUCK" DURING A STRIKE.

YOU MAY BE THINKING, WHAT ABOUT UNION STRIKE BENEFITS ?

[OVERHEAD FIVE]

THE UNION WON'T PAY YOUR WAGES OR HEALTH INSURANCE DURING THE STRIKE. BUT UNION OFFICIALS STILL RECEIVE THEIR SALARIES AND HEALTH INSURANCE DURING A STRIKE PAID BY MEMBERS' DUES MONEY.

STRIKES ARE NOT A PLEASANT THING TO TALK ABOUT. BUT IT IS IMPORTANT THAT YOU UNDERSTAND WHAT CAN HAPPEN TO YOU IF YOU GET INVOLVED IN A STRIKE. DURING A STRIKE YOU COULD END UP LOSING YOUR JOB. HOW DOES THIS HAPPEN ? DURING A STRIKE, THE COMPANY HAS THE RIGHT TO CONTINUE OPERATING IF THE EMPLOYEES GO OUT ON STRIKE. AND THIS COMPANY WOULD CONTINUE TO OPERATE !

[OVERHEAD SIX]

[OVERHEAD SEVEN]

WHAT WOULD YOU DO?

COULD YOU AFFORD TO BE WITHOUT WORK FOR SIX MONTHS OR A YEAR?

IF THE UNION IS SAYING, DON'T BE AFRAID, A STRIKE WON'T HAPPEN HERE, WE ARE VERY HAPPY TO HEAR IT. BUT IF A STRIKE IS NOT A REALISTIC POSSIBILITY, THE UNION WON'T HAVE VERY MUCH BARGAINING POWER TO ENFORCE ITS DEMANDS OR OPPOSE THE COMPANY DEMANDS. YOU WOULD END UP GETTING EXACTLY WHAT THE COMPANY WOULD OFFER ANYWAY WITHOUT A UNION, EXCEPT YOU WOULD HAVE TO PAY UNION DUES TO GET IT.

I AM NOT SAYING THAT THERE DEFINITELY WOULD BE A STRIKE HERE. HOWEVER, STRIKES ARE ALWAYS A POSSIBILITY IF THERE IS A UNION AROUND.

YOU MAY BE THINKING TO YOURSELF: "HOW OFTEN DOES THE UFCW UNION GO ON STRIKE?"

[OVERHEAD EIGHT]

IF I WERE IN YOUR POSITION, I WOULD NOT TAKE THE CHANCE OF BECOMING INVOLVED IN A STRIKE HERE AT RUIZ FOODS.

WITH THIS UNION, ANYTHING IS POSSIBLE INCLUDING A COSTLY STRIKE. I HAVE PUT TOGETHER THIS STRIKE CALCULATOR WHICH WILL SHOW YOU THE REAL COST OF A STRIKE TO YOU.

[OVERHEAD NINE]

SUPPOSE THE UNION CALLED YOU ON STRIKE AND THE STRIKE LASTED 96 DAYS. THIS IS THE SAME AS THE UFCW STRIKE AGAINST ZACKY FARMS IN EL MONTE, CA ASSUMING YOU ARE MAKING \$ 7.00 PER HOUR, AT THE END OF THE STRIKE YOU WOULD HAVE LOST \$ 3,696 IN WAGES. ASSUMING THE COMPANY AGREED TO 25 CENTS AN HOUR MORE THAN IT OFFERED BEFORE THE STRIKE, IT WOULD TAKE YOU 7 YEARS AND 6 WEEKS TO MAKE BACK THE MONEY YOU LOST . . . AND THAT'S JUST TO BREAK EVEN !!!

THIS ALSO ASSUMES YOU DON'T GET INVOLVED IN ANOTHER STRIKE IN THE MEANTIME. THERE ARE A COUPLE MORE EXAMPLES OF HOW MUCH STRIKES COST ON YOUR STRIKE CALCULATORS.

IF A STRIKE HAPPENS, YOU ALSO MIGHT NOT EVEN GET THE CHANCE TO MAKE UP THE WAGES YOU LOST DURING THE STRIKE. WHY? REMEMBER THAT A COMPANY CAN HIRE PERMANENT REPLACEMENTS TO FILL JOBS OF THOSE EMPLOYEES WHO GO OUT ON STRIKE. WHEN THE STRIKE IS OVER , THE PERMANENT REPLACEMENTS HAVE THE RIGHT TO KEEP THEIR JOBS. THE STRIKERS ONLY HAVE A RIGHT TO GET THEIR JOBS BACK IF A JOB BECOMES AVAILABLE!

THAT'S WHAT HAPPENED AT THE HORMEL STRIKE, THE LAST EXAMPLE ON THE STRIKE CALCULATOR. DURING THE STRIKE AT HORMEL, SOME OF THE EMPLOYEES CROSSED THE PICKET LINE AND RETURNED TO WORK. THE REST WERE PERMANENTLY REPLACED. AFTER CONNING THE REMAINING EMPLOYEES TO BE ON STRIKE FOR 56 WEEKS, THE UNION CAVED IN AND CALLED OFF THE STRIKE. MOST OF THE STRIKERS REMAINED OFF WORK

BECAUSE THEY HAD BEEN PERMANENTLY REPLACED. BUT THE UNION CONTINUED TO BE THE LEGAL REPRESENTATIVE OF THE PERMANENT REPLACEMENTS AND THE EMPLOYEES WHO CROSSED THE PICKET LINE, AND GOT TO COLLECT THEIR DUES UNDER A MANDATORY "UNION SHOP" CLAUSE CONTAINED IN THE COLLECTIVE BARGAINING AGREEMENT. I GUESS WHEN THE UNION LOSES THE STRIKE ITS EVERYBODY FOR THEMSELVES.

IN WRAPPING UP TODAY'S DISCUSSION I WANT YOU TO REMEMBER THESE COLD HARD FACTS ABOUT UNION STRIKES:

[OVERHEAD TEN]

I KNOW PARTS OF MY SPEECH TODAY SOUND PRETTY HARSH, BUT THIS IS THE REALITY OF HAVING A UNION AND THE POSSIBILITY OF STRIKES. I HOPE IT NEVER COMES TO THIS.

YOU CAN AVOID THE CHANCE OF GETTING INVOLVED IN A STRIKE BY VOTING NO ON OCTOBER 30 AND 31.

[OVERHEAD ELEVEN]

(CHECK NO BOX.)

THANK YOU. ANY QUESTIONS ?

Poultry plant terminates health benefits

By STEVE HARTSOE
Staff Writer

10-11-97

LIVINGSTON — In perhaps the boldest move since more than 2,000 Foster Farms union poultry plant employees went on strike Wednesday night, Foster Farms on Friday terminated health benefits for all striking employees.

"This is to alert you that National Health Plans has been instructed by Foster Farms management to terminate all Foster Farms employees in group 463, CV-002 poultry plant union as of 10-9-97. The first day without benefits for these members will be 10-10-97," states a memo dated Thursday sent to medical facilities contracted with Modesto-based National Health Plans.

Employees picketing in front of Foster Farms Friday said they'd heard rumors benefits may be cut, but hadn't been told otherwise.

"We don't know for sure yet," said Louis Machado, a 20-year union employee who works in the poultry plant deli. "We heard about it."

Don Hunsucker, president and chief executive officer of the employees' union, United Food and Commercial Workers Union, Local 1288, said he had not been notified of health benefits being eliminated, either.

"I think what it does, it just separates us further," he said. "I think that's a mistake, but the company will do what they will do. It is a mistake. All that it will do is harden our position and harden our resolve."

Added Hunsucker: "I expected it. When you're in a strike and a war I expect a lot, what the company will do."

The two sides have not met since Tuesday. Hunsucker said there were no meetings planned as of Friday.

"I'm willing to meet anytime, any place," he said.

Except for a press conference it called for on Thursday, Foster Farms has not spoken to the media. The company could not be reached for comment Friday.

Machado was one of roughly 300 striking employees walking the picket line outside the

(See STRIKE, page A12)

Strike Foster Farms takes away benefits

(From page A1)

main gate Friday afternoon. The number was more than double that Thursday, the first full day of the strike.

Nonetheless, striking workers said they were optimistic their demands would be met.

Under their four-year contract that expired Sept. 80, workers earned between \$8.02 and \$14.35 an hour.

Under the proposed contract rejected Monday by 77 percent of union workers, wages would have increased by between 65 cents and \$2 during the next five years. The cost of health and welfare benefits, which the union has identified as the main contract dispute, would increase from 11 cents an hour to 20 cents.

The union negotiating team had recommended members approve the contract. Members have final say, however.

While Foster Farms has said the proposed contract is more than competitive when compared to other poultry processors in the United States, the union has countered that California's higher cost-of-living weakens that argument.

A Foster Farms official Thursday would not discuss the financial impact of the strike. Operations would continue with supervisors, replacement workers and non-striking employees, he said.

But throughout the past two days, vans and buses with tinted windows entered the main gate with only a few people inside at most. Striking employees jeered each vehicle.

"There's not much (workers) coming in," Machado said. "They tried to fool us."

He also said the United States Department of Agriculture had shut down the giant processing plant, which reportedly processes more than 400,000 chickens daily, because not enough employees were present to ensure safety and sanitation. However, the closure could not immediately be confirmed Friday.

Another sign activity had dropped off inside the plant was that trucks carrying chickens into the plant were all but nonexistent Friday, workers and residents in the area said.

On Thursday, trucks would enter the plant grounds and leave, still carrying their loads of chickens.

Another indication operations are down is the reduction in electricity usage at the plant since the strike began.

Foster Farms hooked up to Merced Irrigation District's Pioneer Substation, located next to the plant, in May 1996. Foster Farms has reported the change reduced its utility costs by one-half.

"They provide us a schedule of electricity usage each day and they let us know that power consumption would be reduced for a period of time during the strike," said Garith Krause, assistant manager of MID.

Krause said MID receives the utility load request the day before it is delivered. He wouldn't say how much power had been cut.

"So I guess everything is on our side," Machado said.

Local law enforcement agencies maintained a presence around the plant Friday, as they have throughout the strike.

Merced County Sheriff Tom Sawyer said Friday afternoon the strike had remained peaceful.

Emilio Torres lives at the edge of the entrance to the poultry plant on Swan Street.

He, too, reported no problems with the picket line, though strikers were "really noisy" Wednesday night and kept him awake, he said.

Torres, who has lived at the same residence for more than 30 years, remembers a previous wildcat strike in the early 1980s that was rowdy and unorganized.

"They've been real good, the people here," he said. "The first strike for us was terrible."



WHY DO UNIONS CALL STRIKES?



¿PORQUE LAS UNIONES HACEN HUELGA?

- *Many times, a Union makes a lot of promises to employees to get their vote in the election.*
- *However, during negotiations the Company has the legal right to say NO to the Union's demands.*
- *The Union must then either admit to employees it is unable to deliver on its promises or call a Strike!*

■ *Muchas veces, la Union hace muchas promesas a los empleados para recibir su voto en la eleccion.*

■ *Sin embargo, durante las negociaciones la Compania tiene el derecho legal de decir NO a las demandas de la Union.*

■ *La Union entonces tiene que admitirle a los empleados que no podra cumplir con sus promesas o tendra que hacer huelga.*

WHAT HAPPENS DURING A STRIKE?

- No Wages
- No Company Paid Health Insurance
- No Vacation or Other Benefits
- No Unemployment Insurance Benefits
- No Food Stamps or Other Government Assistance

¿QUE PASA DURANTE UNA HUELGA?

- *No Recibira Pago*
- *No Recibira Seguro Medico*
- *No Recibira Vacaciones Pagadas u
Otros beneficios*
- *No Recibira Beneficios de Desempleo*
- *No Recibira Estampillas de Comida o
Asistencia del Gobierno*

DURING A STRIKE, YOUR BILLS DO NOT STOP.

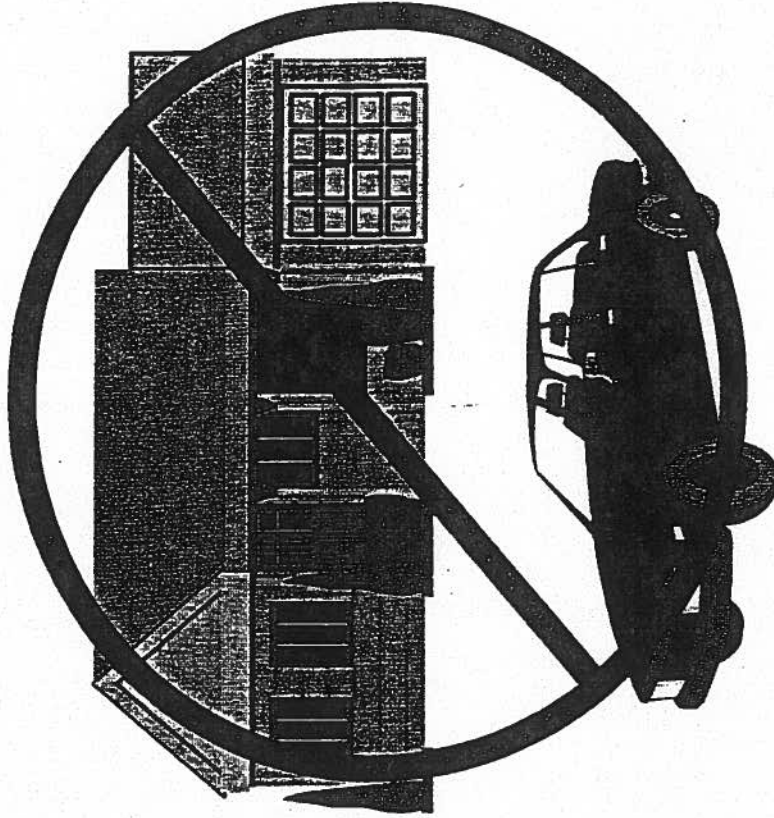
You still have to make rent or mortgage payments.

Your car payments are still due.

You still have to pay for food to eat.

The telephone company and power company won't let you off the hook just because you are on strike.

Many employees who are on strike have to sell their cars and other personal items in order to make ends meet.



DURANTE UNA HUELGA, SUS GASTOS DE VIVIR NO PARARÁN

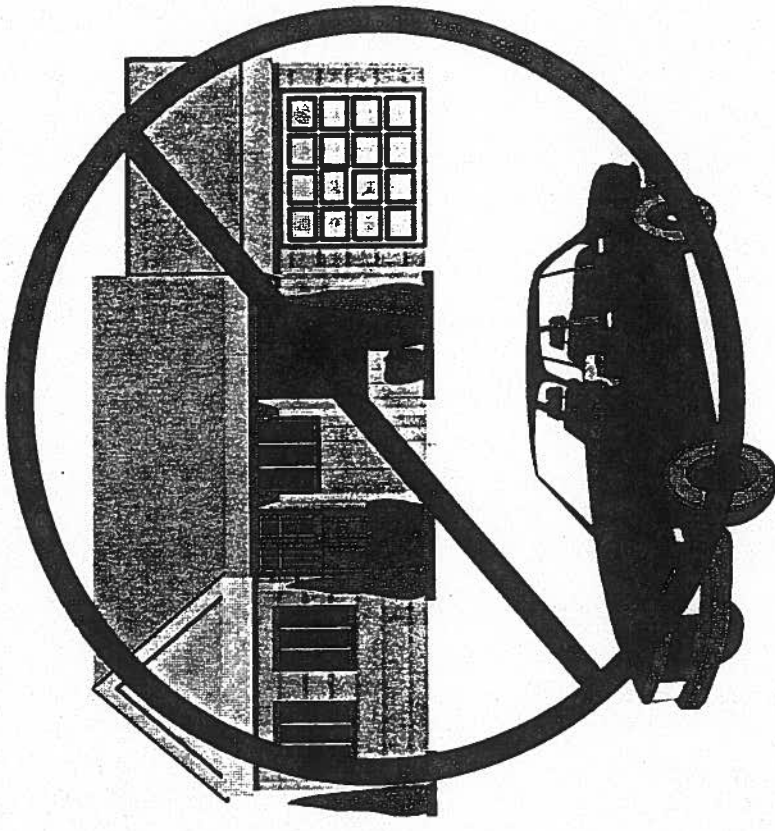
Todavía tendrá que pagar la hipoteca de su casa o el alquiler de su apartamento.

Todavía tendrá que hacer los pagos de su auto.

Todavía tendrá que pagar por su comida.

La compañía del teléfono o de la electricidad no le dejarán pasar los pagos nomás porque esta en huelga.

Muchos empleados que están en huelga tienen que vender sus autos y otras cosas personales para poder facilitar sus pagos.



UNION STRIKE BENEFITS ARE NOT ENOUGH!

- Union Strike Benefits are only \$60 a week.
- You must wait 2 weeks before receiving any strike benefits.
- Only fully paid dues members get strike benefits.
- You must picket everyday or NO Strike Benefits.
- If Union members cross the picket line to work during a strike, the Union can Fine them. (Typical Union fines are all wages earned during the strike.)

¡LOS BENEFICIOS DE LA UNION DURANTE UNA HUELGA NO SON SUFICIENTES!

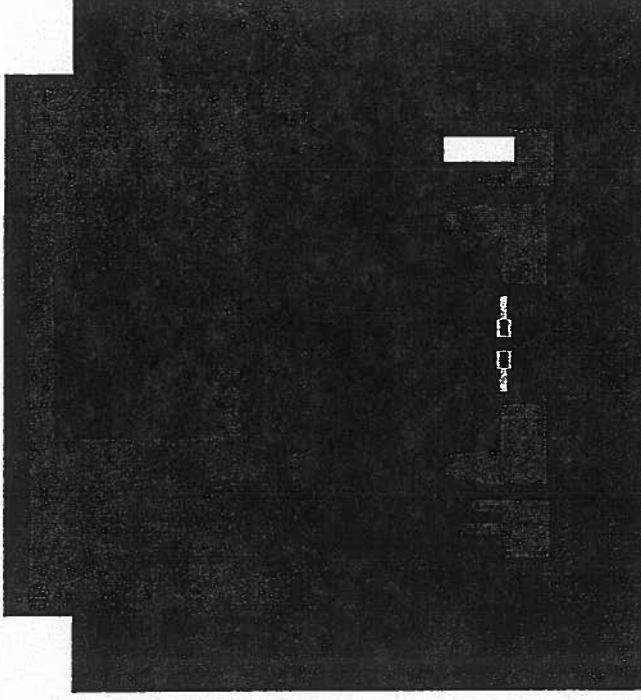
- Los beneficios de la Union durante la huelga son solamente \$60 por semana.
- Tiene que esperar 2 semanas antes de recibir cualquier beneficio de la Union durante la huelga.
- Nomas los miembros que tienen sus cuotas al dia recibirán beneficios de la Union durante la huelga.
- Si los Miembros de la Union cruzan la linea de la huelga para regresar al trabajo durante una huelga, la Union puede multarlos. (Tipicamente, las multas de la Union son todo el pago recibido durante la huelga.)

THE COMPANY CAN AND WOULD OPERATE DURING ANY STRIKE

By Using:

- Managers and Supervisors
- Non-Union office and clerical employees
- Team Members who cross the picket line
- Temporary employees
- Permanent Replacement Employees

RUIZ FOOD PRODUCTS, INC.

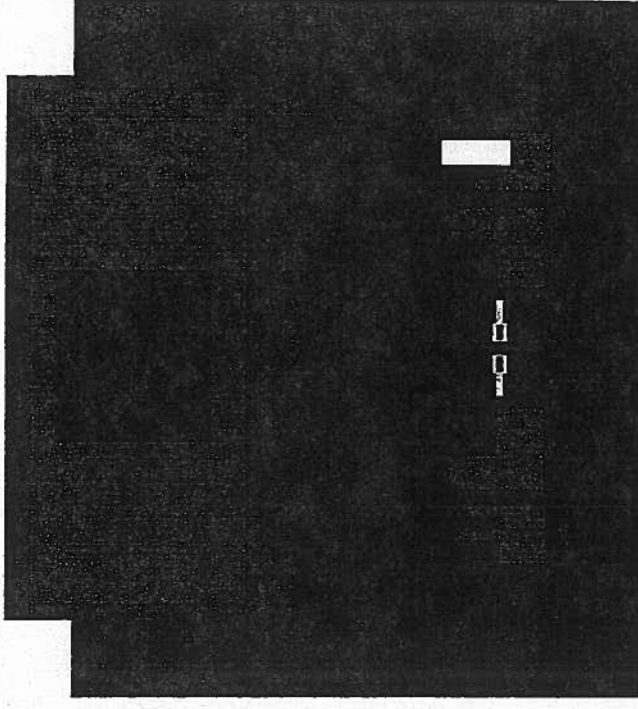


LA COMPANIA PUEDE FUNCIONAR DURANTE CUALQUIER HUELGA

Usando:

- Gerentes y Supervisores
- Empleados de oficina y clerical sin afiliación con la Union
- Miembros de la Union que cruzan las lineas de la huelga
- Empleados temporales
- Empleados reemplazados permanentemente

RUIZ FOOD PRODUCTS, INC.



WHAT IS A PERMANENT REPLACEMENT?

- A new employee hired to “permanently” replace “a striking employee”
- After the strike is over, permanent replacements have the right to keep their jobs.
- Strikers only have the right to get their job back if a job is available.
- If no job is available, strikers are put on a preferential rehire list to be used when job openings occur in the future.
- Sometimes strikers have to wait 6-12 months after the strikes ends before a job becomes available.

¿QUE ES UN EMPLEADO EMPLAZADO PERMANENTEMENTE?

- *Una persona empleada para "reemplazar permanentemente" a un empleado en huelga.*
- *Cuando la huelga se acabe, empleados reemplazados permanentemente tienen el derecho de mantener sus trabajos.*
- *Los huelguistas nomas tienen derecho de volver a su trabajo si su trabajo esta disponible.*
- *Si no hay trabajos disponibles, los huelguistas son puestos en una lista de reemplazo preferencial que sera usada cuando hayan posiciones de trabajo disponibles en el futuro.*
- *A veces los huelguistas tienen que esperar 6 a 12 meses despues de que la huelga se acabe antes de que una posicion de trabajo este disponible.*

HOW OFTEN DOES THE UFCW UNION GO ON STRIKE?

169 Strikes since January 1989!!!

*CON QUE FRECUENCIA LA
UNION, LA UFCW, HACE
HUELGA?*

iii Desde Enero de 1989, 169 Huelgas!!!

STRIKE COST CALCULATOR

IF YOUR HOURLY RATE IS:
\$7.00 per hour, based on a
40-hour week

The Time It Will Take You to Make Up
Your Loss, Assuming You Receive The
Following Additional Hourly Increase
As A Result Of The Strike*

Length of Strike	You Lose	\$0.00 Increase	\$0.10 Increase	\$0.25 Increase
66 days (Similar to the UFCW Strike at Valley Grain ADM Milling in Fresno, California)	\$2,632	Never	12 years & 34 weeks	5 years & 3 weeks
96 days (Similar to the UFCW Strike at Zacky Farms in El Monte, California)	\$3,696	Never	17 years & 40 weeks	7 years & 6 weeks
175 days (Similar to the UFCW Strike at Buon Tasto Sausage Company in S. San Francisco, CA)	\$6,664	Never	32 years & 2 weeks	12 years & 42 weeks
56 weeks (Similar to the UFCW Strike at Hormel)	\$15,680	Never	75 years & 20 weeks	30 years & 8 weeks

OF COURSE, THIS ASSUMES YOU ARE NOT PERMANENTLY REPLACED

CALCULOS DEL COSTO DE LA HUELGA

SI SU PAGO POR HORA ES: \$7.00 por hora, basado en 40 horas por semana		El Tiempo Que Le Tomara Para Reemplazar Su Perdida De Pago, Suponiendo Que Usted Recibira Los Siguientes Aumentos en Pago Como Un Resultado De La Huelga*			
Duracion De La Huelga	Usted Perdera	\$0.00 Aumento	\$0.10 Aumento	\$0.25 Aumento	
66 dias (Similar a la Huelga del UFCW en Valley Grain ADM Milling en Fresno, CA)	\$2,632	Nunca	12 anos y 34 semanas	5 anos y 3 semanas	
96 dias (Similar a la Huelga del UFCW en Zacky Farms en El Monte, CA)	\$3,696	Nunca	17 anos y 40 semanas	7 anos y 6 semanas	
175 dias (Similar a la Huelga del UFCW en Buon Tasto Sausage Company en S. San Francisco, CA)	\$6,664	Nunca	32 anos y 2 semanas	12 anos y 42 semanas	
56 semanas (Similar a la Huelga del UFCW en Hormel)	\$15,680	Nunca	75 anos y 20 semanas	30 anos y 8 semanas	

CLARO, ESTO SUPONE QUE USTED NO SERA REEMPLAZADO PERMANENTEMENTE

COLD HARD FACTS ABOUT UNION STRIKES

- *Strikers get no wages.*
- *Strikers do not get unemployment benefits or food stamps.*
- *Your bills do not stop during a strike.*
- *Strikers are required to walk picket lines--rain or shine.*
- *You may be fined by the Union for refusing to go on strike or refusing to picket.*
- *The Company can and would continue to operate during any strike.*
- *Strikers can be permanently replaced.*

LA DURA REALIDAD DE LAS HUELGAS DE LA UNION:

Los huelguistas no reciben pago.

Huelguistas no reciben beneficios de desempleo o estampillas de comida.

Sus gastos de vivir no paran durante una huelga.

- *Los huelguistas tienen que participar en la huelga.*
- *Los pueden multar si no participan en la huelga.*
- *La Compania podra y funcionará durante cualquier huelga.*
- *Los huelguistas pueden ser reemplazados permanentemente.*

**DO YOU WANT TO BE REPRESENTED BY THE UNION?
¿QUIERE SER REPRESENTADO POR LA UNION?**

YES (SI)

☐

NO

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